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14 Einstein Bros Bagels*

15 **UNITED STATES DISTRICT COURT
16 DISTRICT OF NEVADA**

17 Kevin Zimmerman, and individual,

18 **Case No. 2:17-cv-00935-JCM-VCF**

19 Plaintiff,

20 vs.

21 **CORRECTED STIPULATION AND
22 ORDER FOR EXTENSION TO RESPOND
23 TO COMPLAINT
24 (SECOND REQUEST)¹**

25 Einstein and Noah Corp. Dba Einstein Bros
26 Bagels,
27 Defendant.

28 Plaintiff Kevin Zimmerman (“Plaintiff”) and Defendant Einstein and Noah Corp. d/b/a Einstein Bros. Bagels (“Einstein”) by and through their undersigned counsel (collectively the “Parties”), for good cause shown, hereby stipulate and agree to extend Einstein’s deadline to respond to Plaintiff’s Complaint [Doc #1] to July 3, 2017. This is the Parties’ second extension request.

29 Pursuant to Federal Rule of Civil Procedure 6(b)(1) and Local Rule 6-1, there exists good
30 cause to grant this extension to respond for the following reasons:

31 1. Plaintiff served the Complaint and Summons on Einstein on April 13, 2017.

32 _____
33 ¹ The stipulation filed on May 23, 2017 erroneously requested a due date of June 19, 2017. This
34 corrected stipulation correctly requests the Parties’ intended date of July 3, 2017. The Court
35 noted its intention to grant pending stipulations for extensions of time at the status hearing on
36 May 25, 2017. The Parties thus request that the date to respond to Plaintiff’s Complaint reflect
37 their agreement of July 3, 2017, and treat this stipulation as the second request.

1 2. The Parties originally stipulated to extend Einstein's response deadline to June 2,
2 2017. The Parties subsequently agreed to extend the deadline to respond up to and including July
3 3, 2017.

4 3. Einstein needs the requested time to evaluate Plaintiff's allegations as well as the
5 possibility of early resolution options. Specifically, Einstein's evaluation of Plaintiff's allegations
6 involves site inspections of the relevant property, and Einstein needs additional time to
7 investigate sufficiently. This would make each of this Defendant's responses in the three filed
8 actions due on the same date.

9 4. The Parties agreed to the extension requested herein.

10 5. This stipulated extension request is sought in good faith and is not made for the
11 purpose of delay.

12 Therefore, the Parties jointly agree to extend Einstein's deadline to respond to Plaintiff's
13 Complaint to July 3, 2017.

14 DATED: JUNE 1, 2017

15 THE WILCHER FIRM

16 By: /s/ Whitney C. Wilcher

17 Whitney C. Wilcher
18 8465 West Sahara Avenue
19 Suite 111-236
20 Las Vegas, Nevada 89117

21 Attorneys for Plaintiff Kevin Zimmerman

22 DATED: JUNE 1, 2017

23 SNELL & WILMER L.L.P.

24 By: /s/ Michael Paretti

25 Kelly H. Dove
26 Michael Paretti
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28 Suite 1100
29 Las Vegas, Nevada 89169

30 Attorneys for Defendant Einstein and Noah
31 Corp.

ORDER

IT IS ORDERED that Einstein shall respond to Plaintiff's Complaint by July 3, 2017.

DATED: June 5, 2017, 2017.

George Foley Jr.
UNITED STATES MAGISTRATE JUDGE

Respectfully submitted,

SNELL & WILMER L.L.P.

By: /s/ Michael Paretti

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